

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 19-cr-00227-SRB-1
	)	
JAMES E. WORKMAN,	)	
	)	
Defendant.	)	

**ORDER**

Before the Court is Magistrate Judge Lajuana Counts's Report and Recommendation to deny Defendant's Motion to Dismiss Counts One Through Five, or Count Seven, on the Grounds of Multiplicity. (Doc. #23.) Defendant filed an Objection to the Report and Recommendation. (Doc. #24.) The Objection states in part that "[i]f the Court elects to adopt the Report and Recommendation not to dismiss this multiplicitous indictment, it should order, as an alternative, that the government choose or elect the count on which it will proceed prior to submission to the jury," or "order the government before trial to seek a superseding indictment which charges a single count between the existing Counts One through Five and Count Seven." (Doc. #24, p. 5.)

After an independent and careful review of the record, the applicable law, and the parties' arguments, the Court **OVERRULES** Defendant's objections (Doc. #24), and **ADOPTS** Judge Counts's Report and Recommendation (Doc. #23). It is **ORDERED** that the Report and Recommendation be attached to and made a part of this Order. Defendant's Motion to Dismiss Counts One Through Five, or Count Seven, on the Grounds of Multiplicity (Doc. #15) is **DENIED**. The Court also denies Defendant's request for alternative relief.

**IT IS SO ORDERED.**

Dated: July 29, 2020

/s/ Stephen R. Bough  
STEPHEN R. BOUGH  
UNITED STATES DISTRICT JUDGE